

1 STATE BAR OF CALIFORNIA
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PUBLIC MATTER

FILED

SEP 27 2018

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

12 In the Matter of:) Case No. 17-O-02978; 17-O-04876;
13 PHILLIP ISAAC MYER,) 17-O-03316; 17-O-06368; 18-O-11797;
14 No. 73645,) 18-O-12035
15 A Member of the State Bar) NOTICE OF DISCIPLINARY CHARGES

NOTICE - FAILURE TO RESPOND!

17 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE
18 WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT
19 THE STATE BAR COURT TRIAL:

- 19 (1) YOUR DEFAULT WILL BE ENTERED;
- 20 (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU
21 WILL NOT BE PERMITTED TO PRACTICE LAW;
- 22 (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN
23 THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION
24 AND THE DEFAULT IS SET ASIDE, AND;
- 25 (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.
26 SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE
27 OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN
28 ORDER RECOMMENDING YOUR DISBARMENT WITHOUT
FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,
RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.

The State Bar of California alleges:



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JURISDICTION

1. Phillip Myer ("Respondent") was admitted to the practice of law in the State of California on February 1, 1977, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

COUNT ONE

Case No. 18-O-12035
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

2. On or about December 5, 2017, James Vasquez employed Respondent to perform legal services, namely to represent him to contest the administration of the estate of his father, Jose Vasquez, in the probate matter entitled, *In re Matter of the Estate of Jose Vasquez*, Superior Court of California, County of San Bernardino, case no. PROPS1701138, which Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by:

- A. Failing to appear at a January 3, 2018 hearing (the "Hearing") regarding the Petition to Administer Estate of Jose Lorenzo Vasquez filed by Laura Rodriguez;
- B. Failing to state objections to the Notice of Petition to Administer Estate of Jose Lorenzo Vasquez filed by Laura Rodriguez (the "Petition") at the Hearing;
- C. Failing to file written objections to the Petition with the court prior to the Hearing; and
- D. Failing to provide any services of value to Mr. Vasquez pursuant to the December 5, 2017 retainer agreement.

COUNT TWO

Case No. 18-O-12035
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

3. On or about December 5, 2017, Respondent received advanced fees of \$7,500 from a client, James Vasquez, for representation in a probate matter to contest the administration of the

1 estate of Jose Vasquez. Respondent failed to contest the administration of the estate of Jose
2 Vasquez, or perform any legal services for the client, and therefore earned none of the advanced
3 fees paid. Respondent failed to refund promptly, upon Respondent's termination of employment
4 on or about January 26, 2018 any part of the \$7,500 fee to the client, in willful violation of Rules
5 of Professional Conduct, rule 3-700 (D)(2).

6 COUNT THREE

7 Case No. 18-O-12035
8 Business and Professions Code, section 6068(m)
9 [Failure to Respond to Client Inquiries]

10 4. Respondent failed to respond promptly to approximately eight telephonic, one written
11 and two in-person reasonable status inquiries made by Respondent's client, James Vasquez,
12 between December 5, 2017 and January 26, 2018 that Respondent received in a matter in which
13 Respondent has agreed to provide legal services, in willful violation of Business and Professions
14 Code, section 6068(m).

15 COUNT FOUR

16 Case No. 18-O-12035
17 Business and Professions Code, section 6068(i)
18 [Failure to Cooperate in State Bar Investigation]

19 5. Respondent failed to cooperate and participate in a disciplinary investigation pending
20 against Respondent by failing to provide a substantive response to the State Bar's letters of
21 May 1, 2018, and May 30, 2018, which Respondent received, that requested Respondent's
22 response to the allegations of misconduct being investigated in case no. 18-O-12035, in willful
23 violation of Business and Professions Code, section 6068(i).

24 COUNT FIVE

25 Case No. 18-O-12035
26 Rules of Professional Conduct, rule 4-100(B)(3)
27 [Failure to Render Accounts of Client Funds]

28 6. On or about December 5, 2017, Respondent received from Respondent's client,
James Vasquez, the sum of \$7,500 as advanced fees for legal services to be performed.
Respondent thereafter failed to render an appropriate accounting to the client regarding those
funds upon the termination of Respondent's employment and the client's written request for such

1 accounting on or about January 26, 2018, in willful violation of Rules of Professional Conduct,
2 rule 4-100 (B)(3).

3 COUNT SIX

4 Case No. 18-O-11797
5 Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

6 7. Respondent failed to cooperate and participate in a disciplinary investigation pending
7 against Respondent by failing to provide a substantive response to the State Bar's letters of
8 April 6, 2017, and April 27, 2018, which Respondent received, that requested Respondent's
9 response to the allegations of misconduct being investigated in case no. 18-O-11797, in willful
10 violation of Business and Professions Code, section 6068(i).

11 COUNT SEVEN

12 Case No. 17-O-06368
13 Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

14 8. On or about December 5, 2017, Ivonne Medina employed Respondent to represent
15 her in a civil business dispute, which Respondent intentionally, recklessly, or repeatedly failed to
16 perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A),
17 by:

- 18 A. Failing to hire the Los Angeles County Sherriff's Department to serve
19 Defendant Mayra Martinez Dorame with the complaint and summons in the
20 matter entitled, *Ivonne Gonzales v. Mayra Dorame, et al.*, Los Angeles
21 Superior Court case no. BC636619 ("the civil matter"), after requiring and
22 obtaining an additional up-front payment from his client, Ms. Medina, to do
23 so;
- 24 B. Failing to appear at the case management conferences on February 27, 2017,
25 March 27, 2017, April 17, 2017, May 8, 2017, June 20, 2017 and
26 July 28, 2017, in the civil matter;
- 27 C. That, notwithstanding the fact Respondent billed Ms. Medina for the
28 preparation of a CMC statement, he did not file a CMC statement with the

1 court at any time prior to the case management conferences in the civil matter
2 on February 27, 2017, March 27, 2017, April 17, 2017, May 8, 2017,
3 June 20, 2017 and July 28, 2017 CMC, even though California Rules of
4 Court, rule 3.275 requires that a CMC statement be filed with the court and
5 served on all other parties 15 calendar days before the date set for the
6 CMC; and

7 D. Refusing to speak with his own client, Ms. Medina, before, during or after the
8 August 31, 2017 case management conference in the civil matter for which he
9 was retained pursuant to the December 5, 2017 retainer agreement;

10 COUNT EIGHT

11 Case No. 17-O-06368
12 Business and Professions Code, section 6103
13 [Failure to Obey a Court Order]

14 9. Respondent disobeyed or violated an order of the court requiring Respondent to do or
15 forbear an act connected with or in the course of Respondent's profession which Respondent
16 ought in good faith to do or forbear by failing to comply with the April 17, 2017 order to show
17 cause that ordered Respondent to show cause why the action should not be dismissed and/or why
18 monetary sanctions should not be imposed for his failure to appear on April 17, 2017, in the civil
19 matter entitled, *Ivonne Gonzales v. Mayra Dorame, et al.*, Los Angeles Superior Court case no.
20 BC636619, in willful violation of Business and Professions Code, section 6103.

21 COUNT NINE

22 Case No. 17-O-06368
23 Business and Professions Code, section 6103
24 [Failure to Obey a Court Order]

25 10. Respondent disobeyed or violated an order of the court requiring Respondent to do or
26 forbear an act connected with or in the course of Respondent's profession which Respondent
27 ought in good faith to do or forbear by failing to comply with the May 8, 2017 order to pay
28 monetary sanctions in the amount of \$200.00 on or before June 8, 2017, in the civil matter
entitled, *Ivonne Gonzales v. Mayra Dorame, et al.*, Los Angeles Superior Court case no.
BC636619, in willful violation of Business and Professions Code, section 6103.

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COUNT TEN

Case No. 17-O-06368
Business and Professions Code, section 6103
[Failure to Obey a Court Order]

11. Respondent disobeyed or violated an order of the court requiring Respondent to do or forbear an act connected with or in the course of Respondent’s profession which Respondent ought in good faith to do or forbear by failing to comply with the August 31, 2017 order to pay monetary sanctions in the amount of \$250.00 on or before September 29, 2017, in the civil matter entitled, *Ivonne Gonzales v. Mayra Dorame, et al.*, Los Angeles Superior Court case no. BC636619, in willful violation of Business and Professions Code, section 6103.

COUNT ELEVEN

Case No. 17-O-06368
Business and Professions Code, section 6068(m)
[Failure to Respond to Client Inquiries]

12. Respondent failed to respond promptly to more than ten telephonic calls and at least two in-person reasonable status inquiries made by Respondent’s client, Ivonne Medina, between December 2016 and September 14, 2017, that Respondent received in a matter in which Respondent has agreed to provide legal services, in willful violation of Business and Professions Code, section 6068(m).

COUNT TWELVE

Case No. 17-O-06368
Business and Professions Code, section 6068(m)
[Failure To Inform Client of Significant Developments]

13. Respondent failed to keep Respondent’s client, Ivonne Medina, reasonably informed of significant developments in a matter in which Respondent had agreed to provide legal services, in willful violation of Business and Professions Code, section 6068(m), by failing to inform the client, in the civil matter entitled, *Ivonne Gonzales v. Mayra Dorame, et al.*, Los Angeles Superior Court case no. BC636619 (“civil matter”), of the following:

- A. That the court set a Case Management Conference (“CMC”) for February 27, 2017;
- B. That he did not intend to be present at the February 27, 2017, CMC;

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- C. That given his absence, Ms. Medina would be and in fact was represented at the February 27, 2017 CMC by an appearance attorney without any affiliation with his law firm or knowledge of the case;
- D. That during the February 27, 2017 CMC, the court continued the CMC to March 27, 2017;
- E. That he did not intend to be present at the March 27, 2017 CMC;
- F. That given his absence, Ms. Medina would be and in fact was represented at the March 27, 2017 CMC by an appearance attorney without any affiliation with his law firm or knowledge of the case;
- G. That during the March 27, 2017 CMC, the court continued the CMC to April 17, 2017;
- H. That he did not intend to be present at the April 17, 2017 CMC and failed to secure the presence of another attorney on Ms. Medina's behalf,
- I. That no attorney made an appearance on behalf of Ms. Medina on April 17, 2017;
- J. That on April 17, 2017, the court ordered Respondent to appear on May 8, 2017 and show cause why the action should not be dismissed and/or why monetary sanctions should not be imposed for his failure to appear on April 17, 2017;
- K. That during the April 17, 2017 CMC, the court continued the CMC to May 8, 2017;
- L. That he did not intend to be present at the May 8, 2017 CMC;
- M. That given his absence, Ms. Medina would be and in fact was represented at the May 8, 2017 CMC by an appearance attorney without any affiliation with his law firm or knowledge of the case;
- N. That the court ordered Respondent to pay a monetary sanction of \$200.00 on or before June 8, 2017 for his unexcused failure to appear on April 17, 2017, as well as his failure to appear on May 8, 2017, in violation of the court's

- 1 April 17, 2017 order requiring him to appear on May 8, 2017 and show cause
2 why sanctions should not issue;
- 3 O. That during the May 8, 2017 CMC, the court continued the CMC to
4 June 20, 2017;
- 5 P. That he did not intend to be present at the June 20, 2017 CMC;
- 6 Q. That given his absence, Ms. Medina would be and in fact was represented at
7 the June 20, 2017 CMC by an appearance attorney without any affiliation with
8 his law firm or knowledge of the case;
- 9 R. That during the June 20, 2017 CMC, the court continued the CMC to
10 July 28, 2017; and
- 11 S. That that neither he, nor any other attorney, intended to be present at the
12 July 28, 2017 CMC and that Ms. Medina would be appearing by herself
13 without the assistance of counsel.

14 COUNT THIRTEEN

15 Case No. 17-O-06368
16 Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

17 14. Respondent failed to cooperate and participate in a disciplinary investigation pending
18 against Respondent by failing to provide a substantive response to the State Bar's letters of
19 December 8, 2017, and January 18, 2018, which Respondent received, that requested
20 Respondent's response to the allegations of misconduct being investigated in case no.
21 17-O-06368, in willful violation of Business and Professions Code, section 6068(i).

22 COUNT FOURTEEN

23 Case No. 17-O-04876
24 Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

25 15. On or about November 9, 2016, Respondent received advanced fees of \$2,500 from a
26 client, Rhea Kohl, for representation in a civil matter. On or about November 2016, Ms. Kohl
27 terminated Respondent. Respondent was terminated before he performed any legal services on
28 her behalf, and therefore earned none of the advanced fees paid. On May 30, 2017, Ms. Kohl

1 was awarded a binding fee arbitration award by Santa Barbara County Bar Association fee
2 arbitrator Robert Chandler, Esq in the amount of \$2,200, which amounted to the full amount of
3 advanced fees minus \$300 for copying costs.

4 16. On September 21, 2017, Respondent acknowledged to the State Bar that he owes
5 \$2,200 to Ms. Kohl. Respondent failed to refund promptly, upon Respondent's termination of
6 employment on or about November 2016, any part of the \$2,500 fee to the client, in willful
7 violation of Rules of Professional Conduct, rule 3-700 (D)(2).

8 COUNT FIFTEEN

9 Case No. 17-O-03316
10 Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

11 17. On or about September 13, 2016, Patricia Neiderhiser, employed Respondent to
12 collect a \$66,574 judgment ("Judgment") against Patricia Apostolakis ("Debtor"), an individual
13 who filed for Chapter 7 bankruptcy protection in U.S. Bankruptcy Court, Central District of
14 California (Riverside), case no. 6:16-bk-17745-MH ("bankruptcy matter"). The parties' retainer
15 agreement required Respondent to, among other things, "[R]epresent client, [Ms. Neiderhiser] in
16 [D]ebtor's 341A hearing. To research the probability of bringing a Motion for Relief from
17 Automatic Stay. Prosecute any such motion if deemed by attorney to be the best course of
18 action."

19 18. Respondent intentionally, recklessly, or repeatedly failed to perform with
20 competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by:

- 21 A. Failing to personally appear at the October 3, 2016, Debtor's 341A hearing in
22 the bankruptcy matter, pursuant to the October 13, 2016 retainer agreement;
- 23 B. Failing to personally appear at the October 5, 2016, Debtor's 341A hearing in
24 the bankruptcy matter, pursuant to the October 13, 2016 retainer agreement,
- 25 C. Failing to personally appear at the November 2, 2016 Debtor's 341A hearing
26 in the bankruptcy matter, pursuant to the October 13, 2016 retainer agreement;

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- D. Failing to file any motions, petitions or pleadings to collect or challenge the discharge of Ms. Neiderhiser's \$66,574.06 judgment against Debtor from September 13, 2016 until February 2017;
- E. Failing to take reasonable steps to ensure that he was notified in the event Debtor initiated an adversary proceeding or other action to discharge the \$66,574.06 judgment against Ms. Neiderhiser;
- F. Failing to keep Ms. Neiderhiser informed regarding significant events in Debtor's bankruptcy court proceedings that had a direct effect on her ability to collect the \$66,574.06 judgment;
- G. Failing to have any communication with Ms. Neiderhiser from September 13, 2016, the date he obtained the initial \$3,500 retainer fee, until February 2017;
- H. Failing to determine, shortly after the September 13, 2016 retainer agreement was executed, whether Ms. Neiderhiser was entitled to relief and if not, failing to advise her accordingly;
- I. If the \$66,574.06 judgment could not be collected or shielded from discharge in bankruptcy, failing to advise Ms. Neiderhiser that she did not have a meritorious claim; and
- J. Failing to provide any services of benefit to Ms. Medina pursuant to the September 13, 2017 retainer agreement.

COUNT SIXTEEN

Case No. 17-O-03316
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

19. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent's client, Patricia Neiderhiser, by constructively terminating Respondent's employment on or about October 4, 2016, by failing to take any action on the client's behalf after Respondent attended a meeting of the creditors and thereafter failing

1 to inform the client that Respondent was withdrawing from employment, in willful violation of
2 Rules of Professional Conduct, rule 3-700(A)(2).

3 COUNT SEVENTEEN

4 Case No. 17-O-03316
5 Business and Professions Code, section 6068(m)
6 [Failure to Respond to Client Inquiries]

7 20. Respondent failed to respond promptly to at least two telephonic reasonable status
8 inquiries made by Respondent's client, Patricia Neiderhiser, between September 13, 2016 and
9 February 7, 2017, that Respondent received in a matter in which Respondent has agreed to
10 provide legal services, in willful violation of Business and Professions Code, section 6068(m).

11 COUNT EIGHTEEN

12 Case No. 17-O-03316
13 Business and Professions Code, section 6068(m)
14 [Failure To Inform Client of Significant Developments]

15 21. Respondent failed to keep Respondent's client, Patricia Neiderhiser, reasonably
16 informed of significant developments in a matter in which Respondent had agreed to provide
17 legal services, in willful violation of Business and Professions Code, section 6068(m), by failing
18 to inform the client of the following:

- 19 A. That he did not intend to be present at the October 3, 2016 Debtor's 341A
20 hearing;
- 21 B. That given his absence, Ms. Neiderhiser would be and in fact was represented
22 at the October 3, 2016 Debtor's 341A hearing in the bankruptcy matter by
23 another attorney,
- 24 C. That at the October, 3, 2016, Debtor's 341A hearing in the bankruptcy matter,
25 the Debtor's 341A hearing was continued to October 5, 2016;
- 26 D. That he did not intend to be present at the October 5, 2016 Debtor's 341A
27 hearing;
- 28 E. That at the October 5, 2016 Debtor's 341A hearing in the bankruptcy matter,
the Debtor's 341A hearing was continued to November 2, 2016;

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- F. That he did not intend to be present at the November 2, 2016 Debtor's 341A hearing;
- G. That objections to the discharge of any debts in the bankruptcy matter, including Ms. Neiderhiser's, were due by December 2, 2016;
- H. That on November 4, 2016, the Chapter 7 Trustee's Report of No Distribution was filed in the bankruptcy matter, which noted that the case was pending for two months and all claims were scheduled to be discharged without payment;
- I. That on December 12, 2016, the Order of Discharge in the bankruptcy matter was entered;
- J. That on December 1, 2016, an adversary proceeding was filed in the Bankruptcy Court against Ms. Neiderhiser by Ms. Apostolakis to remove the judgment lien that was the subject of the October, 3, 2016 retainer agreement ("the Adversary Proceeding");
- K. That on December 29, 2016, an amended complaint in the Adversary Proceeding was filed against Ms. Neiderhiser to remove the judgment lien that was the subject of the October, 3, 2016 retainer agreement; and
- L. That, having failed to respond to the complaint in the Adversary Proceeding, a default was entered against Ms. Neiderhiser that discharged the \$66,574.06 judgment that was the subject of the October, 3, 2016 retainer agreement.

COUNT NINETEEN

Case No. 17-O-02978
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

22. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar's letters of June 7, 2017, and August 23, 2017, which Respondent received, that requested Respondent's response to the allegations of misconduct being investigated in case no. 17-O-02978, in willful violation of Business and Professions Code, section 6068(i).

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NOTICE - INACTIVE ENROLLMENT!

YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE RECOMMENDED BY THE COURT.

NOTICE - COST ASSESSMENT!

IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF CHIEF TRIAL COUNSEL

DATED: September 27, 2018

By: 
Akili Nickson
Senior Trial Counsel

DECLARATION OF SERVICE

by

U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 17-O-02978, 17-O-04876, 17-O-03316, 17-O-06368, 18-O-11797, 18-O-12035

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

NOTICE OF DISCIPLINARY CHARGES



By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))

- in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles.



By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))



By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))

- I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for overnight delivery by the United Parcel Service ("UPS").



By Fax Transmission: (CCP §§ 1013(e) and 1013(f))

Based on agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed herein below. No error was reported by the fax machine that I used. The original record of the fax transmission is retained on file and available upon request.



By Electronic Service: (CCP § 1010.6)

Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the person(s) at the electronic addresses listed herein below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.



(for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at Los Angeles, addressed to: (see below)



(for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 9414 7266 9904 2111 0207 81 at Los Angeles, addressed to: (see below)



(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS, Tracking No.: addressed to: (see below)

Person Served	Business-Residential Address	Fax Number	Courtesy Copy to:
Phillip Isaac Myer	Phillip Isaac Myer Phillip Myer, APC PO Box 488 Rancho Cucamonga, CA 91729-0488	Electronic Address	



via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ("UPS"). In the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day, and for overnight delivery, deposited with delivery fees paid or provided for, with UPS that same day.

I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.

DATED: September 27, 2018

SIGNED:

Genelle De Luca-Suarez
Genelle De Luca-Suarez
Declarant